



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77648

Makoto MIURA

Appln. No.: 10/671,797

Group Art Unit: 2817

Confirmation No.: 9890

Examiner: CHOE, Henry

Filed: September 29, 2003

For: OPERATIONAL AMPLIFIER WITH SELF CONTROL CIRCUIT FOR REALIZING
HIGH SLEW RATE THROUGHOUT FULL OPERATING RANGE

RESPONSE TO ELECTION OF SPECIES WITH TRAVERSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner has identified the application as containing claims directed to 18 distinct species. The Examiner has required the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner has indicated that no claims are generic. Applicant has been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement, Applicant elects, with traverse, Species I, which corresponds to Figure 1, for examination on which at least claims 1, 7 and 8 are readable.

In support of the traversal of the Requirement for Election, Applicant submits that the Examiner's Election Requirement is improper because the Examiner has failed to demonstrate any patentable difference between the 18 species listed by the Examiner. Indeed, the Examiner merely identifies Figures 1-18 as distinct species, but provides no supporting rationale for this identification. Furthermore, notwithstanding the Examiner's Requirement for Election, Applicant submits that Figures 1-18 and the associated claims are related and not patentably distinct. Therefore, Applicant submits that the Requirement for Election is improper.

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For instance, Applicant submits that the operational amplifier of claim 1 is generic and includes all the features of Figures 1-18. Moreover, Applicants submit that Figures 2-18, which the Examiner identifies and Species 2-18, respectively, are not patentably distinct from the embodiment depicted in Figure 1 because Figure 1 depicts the basic concept of an operational amplifier and Figures 2-18 merely show constitutions obtained by expanding and/or modifying the constitution of Figure 1. Applicant submits that such expansions and/or modifications are not a proper basis for a patentable distinction to support a Requirement for Election.

Accordingly, Applicant submits that the Requirement for Election is improper and respectfully requests all of the claims and corresponding Figures be examined at this time.

Additionally, Applicant submits that if any of the elected claims are found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Further, Applicant reserves the right to file a Divisional Application directed to non-elected claims 2-6 and 9-16.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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CUSTOMER NUMBER

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